

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Raymond L. Chong	Attorney Docket No.:	21-004.C1
Application No.:	10/760,026	Group Art Unit:	2609
Filed:	1/16/2004	Examiner:	Cheng Chien Wu
Title:	SYSTEM AND METHOD FOR MONITORING A PACKET NETWORK		

REFUND SECTION, ACCOUNTING DIVISION  
OFFICE OF FINANCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR REFUND****IMPROPER CHARGE OF DEPOSIT ACCOUNT**

Sir:

**I. REFUND REQUEST**

This is a request for a refund in the amount of \$105.00, with respect to the charge to Deposit Account No: 50-0374, shown on the statement dated December 31, 2007, for the above identified patent application.

A copy of the monthly statement, in which the referenced error occurs, accompanies this request.

**II. FEES CHARGED FOR WHICH REFUND IS REQUESTED**

Fee code 2201: Small Entity for Independent Claims in Excess of Three

**III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR**

The fee for additional independent claims in excess of 3 was inappropriately charged to Agent's deposit account for the Amendment filed December 10, 2007.

The Amendment filed on December 10, 2007, was in response to the Office Action dated August 8, 2007, whereby the Examiner indicated Claim 14 was missing from a complete listing of all claims in the Preliminary Amendment dated January 16, 2004.

Although the Preliminary Amendment excluded Claim 14, the priority application filed with the Preliminary Amendment included Claim 14, as well as the three (3) other independent claims 1, 15 and 25.

The attached Filing Receipt, which is dated April 27, 2004, correctly shows four independent claims were filed with this application on January 16, 2004.

The attached monthly statement dated April 2004, shows a deduction on April 23, 2004, for Small Entity Fee code 2201 regarding Independent Claims in Excess of Three. Agent believes this deduction hereby takes care of the required fee for independent claims in excess of three, and the deposit account charge on December 31, 2007, should be refunded.

#### **IV. MANNER OF REFUND**

Please make a refund of \$105.00 by crediting Deposit Account No. 50-0374.

Respectfully submitted,

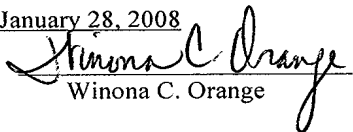


Mikio Ishimaru  
Registration No. 27,449

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Sunnyvale, CA 94087  
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January 28, 2008

#### Certificate of Transmission

I hereby certify that this document is being electronically transmitted to the U.S. Patent and Trademark Office via EFS from the Pacific Time zone on January 28, 2008

  
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**Deposit Account Statement**

**Requested Statement Month:**

December 2007

**Deposit Account Number:**

500374

**Name:**

ISHIMARU & ZAHRT LLP

**Attention:**

VICKIE ISHIMARU

**Street Address 1:**

333 W. EL CAMINO REAL

**Street Address 2:**

SUITE 330

**City:**

SUNNYVALE

**State:**

CA

**Zip:**

94087

**Country:**

UNITED STATES

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
12/03	8908	11626232	27-409-1CPD.C1	1251	\$120.00	\$11,495.00
12/03	9449	11164453	27-132	1251	\$120.00	\$11,375.00
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12/04	10849	11044282	1016-071	1504	\$300.00	\$9,635.00
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12/05	3452	11950216	27-335	1311	\$210.00	\$9,115.00
12/05	3451	11950216	27-335	1111	\$510.00	\$8,605.00
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12/07	5565	11951958	27-453	1111	\$510.00	\$6,635.00
12/07	5566	11951958	27-453	1311	\$210.00	\$6,425.00
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12/12	9813	11954603	27-493	8021	\$40.00	\$12,250.00
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12/18 7066	11958254	AFJ02055	1311	\$210.00	\$6,060.00
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12/21 14803	6765296	1016-012	1551	\$930.00	\$2,310.00
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12/27 4019	11964567	27-465	8021	\$40.00	\$12,170.00
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12/28 5713	11965653	27-460	8021	\$40.00	\$6,860.00
12/28 11842	09722168	21-006	1401	\$510.00	\$6,350.00
12/28 12154	09722168	21-006	1402	\$510.00	\$5,840.00
12/31 32	11966219	27-457	1011	\$310.00	\$5,530.00
12/31 33	11966219	27-457	1111	\$510.00	\$5,020.00
12/31 34	11966219	27-457	1311	\$210.00	\$4,810.00
12/31 1	10760026	21-004.C1	2201	\$105.00	\$4,705.00

12/31 8838	11278070	27-254	1252	\$460.00	\$4,245.00
12/31 33	12005499	27-193.C1	1011	\$310.00	\$3,935.00
12/31 34	12005499	27-193.C1	1111	\$510.00	\$3,425.00
12/31 35	12005499	27-193.C1	1311	\$210.00	\$3,215.00

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BALANCE	CHARGES	REPLENISH	BALANCE
\$11,615.00	\$45,500.00	\$37,100.00	\$3,215.00

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**Deposit Account Statement**

**Requested Statement Month:**

April 2004

**Deposit Account Number:**

500374

**Name:**

ISHIMARU & ZAHRT LLP

**Attention:**

VICKIE ISHIMARU

**Street Address 1:**

333 W. EL CAMINO REAL

**Street Address 2:**

SUITE 330

**City:**

SUNNYVALE

**State:**

CA

**Zip:**

94087

**Country:**

UNITED STATES

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
04/01	339	6706563	27065SG	8013	\$25.00	\$6,400.00
04/02	129	10099284	ST00-005B	1501	\$1,330.00	\$5,070.00
04/02	130	10099284	ST00-005B	1504	\$300.00	\$4,770.00
04/02	301	29196558	1007D2	8021	\$40.00	\$4,730.00
04/05	82	10463007	27007SG	8007	\$20.00	\$4,710.00
04/05	126	60478433	27-014P-SG	8007	\$20.00	\$4,690.00
04/05	129	60465432	27-012P-SG	8007	\$20.00	\$4,670.00
04/05	444	10462264	27-062.D1-SG	8007	\$20.00	\$4,650.00
04/06	159	10816339	1007-044	1001	\$770.00	\$3,880.00
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04/08	21	E-REPLENISHMENT		9203	-\$5,000.00	\$8,855.00
04/09	164	60560180	29-007P	2005	\$80.00	\$8,775.00
04/12	25	10820664	1016-039	1001	\$770.00	\$8,005.00
04/12	26	10820664	1016-039	1201	\$86.00	\$7,919.00
04/12	27	10820664	1016-039	1202	\$36.00	\$7,883.00
04/15	375	29195995	1007-D1	1502	\$480.00	\$7,403.00
04/20	65	10825910	27-017	1001	\$770.00	\$6,633.00
04/20	66	10825910	27-017	1201	\$86.00	\$6,547.00
04/20	67	10825810	27-012	1001	\$770.00	\$5,777.00
04/20	68	10825810	27-012	1201	\$86.00	\$5,691.00
04/20	5	10826198	21-014	2001	\$385.00	\$5,306.00
04/20	6	10826198	21-014	2201	\$43.00	\$5,263.00
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04/23	81	6718608	27-025-SG	8013	\$25.00	\$5,178.00
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04/27	60	6720133		1460	\$130.00	\$9,003.00

04/27	61	6720133		1811	\$100.00	\$8,903.00
04/27	62	10752454	1016-032	8021	\$40.00	\$8,863.00
04/27	110	10831247	1007-046	1001	\$770.00	\$8,093.00
04/27	385	10752357		8021	\$40.00	\$8,053.00

START	SUM OF	SUM OF	END
BALANCE	CHARGES	REPLENISH	BALANCE
\$6,425.00	\$8,372.00	\$10,000.00	\$8,053.00

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## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/760,026	01/16/2004	2662	428	21-004.C1	4	18	4

CONFIRMATION NO. 8498

22898  
 THE LAW OFFICES OF MIKIO ISHIMARU  
 1110 SUNNYVALE-SARATOGA ROAD  
 SUITE A1  
 SUNNYVALE, CA 94087

## FILING RECEIPT



\*OC000000012450775\*

RECEIVED

APR 30 2004

MIKIO ISHIMARU

Date Mailed: 04/27/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Raymond L. Chong, San Jose, CA;

## Assignment For Published Patent Application

SUNRISE TELECOM INCORPORATED, San Jose, CA;

## Domestic Priority data as claimed by applicant

This application is a CON of 10/105,600 03/20/2002

## Foreign Applications

If Required, Foreign Filing License Granted: 04/26/2004

Projected Publication Date: 08/05/2004

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

## Title

System and method for monitoring a packet network

**Preliminary Class**

370

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

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The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).